



PATRICK M. MCOWAN

Background

11. The applicant's lot was previously part of Abnaki Camps, which is located along the shoreline of Moosehead Lake. The complex was developed prior to the inception of the Land Use Regulation Commission with an existing dwelling and 8 house-keeping cottages, a garage, a boat house and several outbuildings.
12. Building Permit BP 3756, issued to the prior owner in June of 1979, authorized approval to remove two of the house-keeping cottages and to construct a 28 foot by 70 foot permanent dwelling to be served by a proposed combined sewage disposal system. Building Permit BP 3756 also allowed for the division of the parent parcel, whereby the owner intended to sell Abnaki Camps, along with a 3.7 acre portion of the parcel, and retaining the 1.45 acre lot for the approved permanent dwelling.
13. The applicants now seeks amendment approval to reflect the change of ownership and seek approval to change the dimensions of the approved dwelling to 34 feet by 70 feet instead of the previously approved dimensions of 28 feet by 70 feet.
14. The proposed development complies with the minimum dimensional requirements, Section 10.26 of the Commission's Land Use Districts and Standards.
15. The facts are otherwise as represented in Building Permit Application BP 3756, Amendment Request A and supporting documents.

Based upon the above Findings, the staff concludes that if carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

Therefore, the staff approves the application of Russell E. and Lisa Oakes with the following conditions:

1. The Standard Conditions (ver. 10/90), a copy of which is attached.
2. The General Standards for Clearing, (ver 7/02), a copy of which is attached.
3. The General Standards for Filling and Grading (ver. 7/02) with Guidelines for Vegetative Stabilization (ver. 10/00), a copy of which is attached.
4. All structures must be set back a minimum of 100 feet from the normal high water mark of Moosehead Lake, 50 feet from the road and 15 feet from other property boundary lines
5. The proposed sewage disposal system must be installed in accordance with the Maine State Plumbing Code. The system must not be installed until a Plumbing Permit has been obtained from the Local Plumbing Inspector.

6. The permittee must obtain a Certificate of Inspection for the sewage disposal system at the time of installation from the Local Plumbing Inspector. A copy of this certificate must be submitted to the Commission.
7. To protect the scenic quality of Moosehead Lake, all structures must be screened with vegetation from view from the lake, and, if of other than a natural wood finish, all structures must be painted or stained a natural color to blend with their surroundings. The structures must not be sited on a ridge or knoll such that they are visible above the treeline from the lake.
8. Upon completion of the permitted structure(s) within the terms of this permit, the existing structure(s) must be removed from the lot and all solid waste and other debris disposed of in a proper manner, in compliance with applicable state and federal solid waste laws and rules.
9. Except for the travel surface of the driveway, all areas of disturbed soil must be promptly reseeded to prevent soil erosion. The driveway must be constructed so that it will not erode, and will not create any undue restriction or disruption of existing surface water drainage ways along public roadways.
10. All areas of disturbed soil must be promptly reseeded and mulched to prevent soil erosion.
11. The lot may not be further divided without the prior review and approval of the Maine Land Use Regulation Commission.
12. All conditions of Building Permit BP 3756 shall remain in effect with the exception of Condition #2 of Building Permit BP 3756 which is superseded by Conditions #5 of this amendment, respectively.

This permit is approved only upon the above stated conditions and remains valid only if the permittees comply with all of these conditions. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

DONE AND DATED AT AUGUSTA, MAINE, THIS 8th DAY OF NOVEMBER, 2004.

By: Robert McKee
Robert McKee for Catherine M. Carroll, Director